



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: August 17, 2017
TO: McMinnville Planning Commissioners
FROM: Ron Pomeroy, Principal Planner
SUBJECT: ZC 11-17 (Zone Change) Land Use Resources, LLC

Report in Brief:

This is a public hearing to consider a zone change request from AH (Agricultural Holding) to R-4 (Multiple-Family Residential) on approximately 5.2 acres of a 5.3 acre site. (The remaining acreage is in the flood plain and as such is zoned FP and will remain zoned FP.) The subject site is located north of NE Cumulus Avenue and east of NE Fircrest Drive and is more specifically described as a portion of Tax Lot 900, Section 23, T. 4 S., R. 4 W., W.M.

Background:

The site is undeveloped with a large stand of trees, and is located east of and across Fircrest Drive from the Fircrest Community development that provides both assisted living and memory care residential opportunities as well as retirement living apartments. Adjacent to and northwest of the site is located the Fircrest Village Condominium development. Further to the west are found the Parkland Village retirement community consisting of single-family attached style residences and the Parkland Village Assisted Care facility. East of the site is land located outside of the McMinnville urban growth boundary and currently in agricultural use.

All adjacent land to the west and northwest is zoned R-4 (Multiple-Family Residential) and R-4 PD (Multiple-Family Residential Planned Development), respectively while adjacent land to the south is zoned AH. The site's southeastern edge is bounded to Oregon Department of Transportation (ODOT) right-of-way providing no access rights to the site.

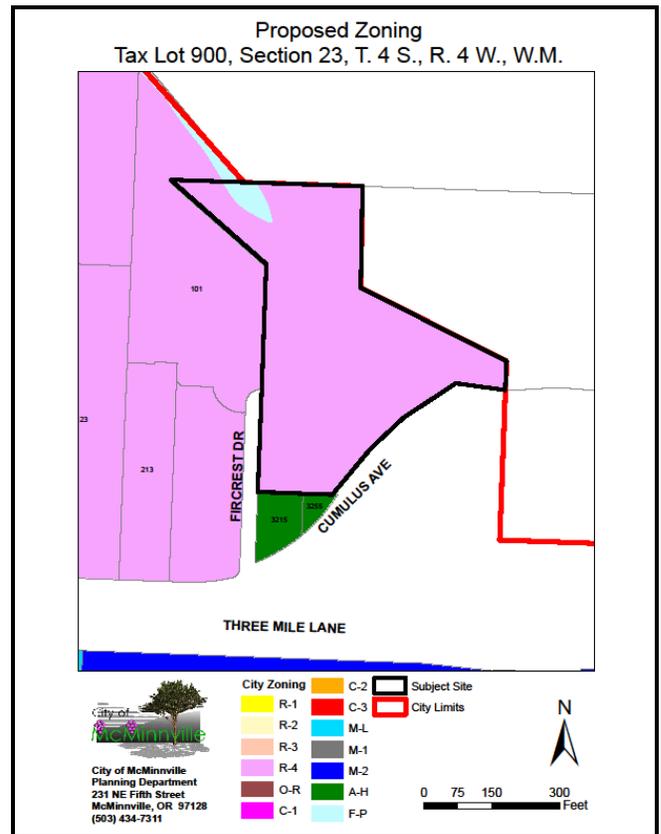
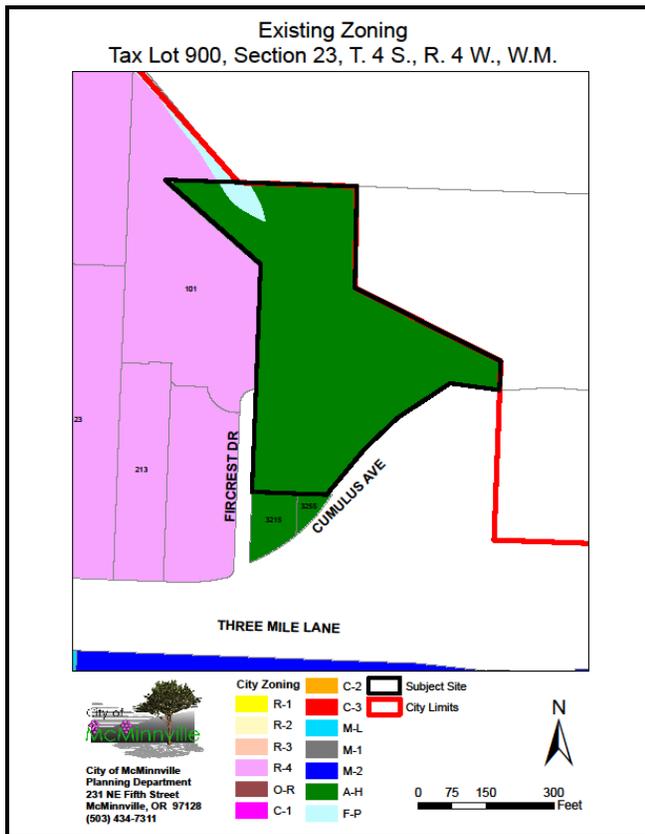
The southern portion of the site is relatively flat and generally covered in native grasses that are periodically mowed. The northern portion of the site is characterized by a downward slope of approximately 15 feet in elevation forming a drainage ravine the flows northwesterly eventually emptying into the South Yamhill River beyond the boundary of this site. This northern portion of the property is also covered in a fairly thick stand of, mostly, evergreen trees.

The site is identified as residential zoning on the McMinnville Comprehensive Plan map.

A graphic identifying the subject parcel has been provided below. While the full parcel is outlined in yellow for identification purposes, approximately 1/10th of an acre located in the northwest corner of the parcel is proposed to retain its current F-P (Flood Plain) zone and is not part of this zone change request.



In addition, the two graphics below provide a depiction of current zoning designations on the subject site and surrounding properties in addition to identifying how the zoning map would appear should these zone change requests be approved.



Discussion:

The Planning Commission's responsibility regarding this type of land-use request is to hold a public hearing and, following public testimony and deliberation, recommend to the City Council that the application be approved, or approved with conditions, or the Commission may act to deny the application. Such actions shall be based upon the City's comprehensive plan policies and the review criteria contained in Section 17.74.020 (Comprehensive Plan Map Amendment and Zone Change – Review Criteria) of the McMinnville Zoning Ordinance.

This request, if approved, would allow the applicant to amend the residential zoning designation from AH (Agricultural Holding) to R-4 (Multiple-Family Residential) on approximately 5.2 acres of a 5.3 acre site to afford the ability to pursue a future multiple-family development project on this site as noted in the submitted application, findings and Traffic Impact Analysis (TIA). Please note that submittal of a conceptual development plan is not a required element of a zone change request and the applicant has not included such as part of this submittal. Additionally, the provision of other site graphics by the applicant are for general illustrative purposes only.

Evaluation of Review Criteria:

An amendment of the zoning map may be authorized provided that the proposal satisfies all applicable review criteria and provided that the applicant demonstrates the following:

Section 17.74.020

- A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

Comprehensive Plan Policies: There are numerous Comprehensive Plan Goals and Policies that are applicable to this request. Most of those have been well addressed in the applicant's submitted narrative. Some of the more notable guidance is found in Chapter V (Housing and Residential Development) which includes Goals that speak to quality housing for all city residents and achieving a residential development pattern that is land intensive and energy efficient as well as Policies encouraging opportunities for multiple-family development in locations that have sufficient access opportunities and service availability to support such development.

Section 17.74.020

- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.

Existing Development Pattern: The area to the west of this site is comprised of a mix of residential types including the Fircrest Community development that provides both assisted living opportunities and retirement living apartments. Adjacent to and northwest of the site is located the Fircrest Village Condominium development. Further to the west are found the Parkland Village retirement community consisting of single-family attached style residences and the Parkland Village Assisted Care facility. East of the site is land located outside of the McMinnville urban growth boundary and currently in agricultural use.

Section 17.74.020

- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

Utility and Service Provision: This area is well served by existing sanitary and storm sewer systems as well as other public utilities. The Engineering Department notes that there is an existing 15" diameter public sanitary sewer located to the south of the property in the Cumulus Avenue / Highway 18 right-of-way, which is under the jurisdiction of the Oregon Department of Transportation (ODOT). At the time of development, the applicant will need to design a sanitary sewer system that connects to the existing public system (note that a private sanitary sewer pump station may be necessary to serve the proposed

development), and the applicant will need to acquire all permits necessary from ODOT to construct the improvements.

Street System: regarding adjacent public rights-of-way, a portion of the western edge of the site is site adjacent to NE Fircrest Drive. The other right-of-way that is adjacent to this site is Oregon Department of Transportation (ODOT) right-of-way located along the site's southeasterly edge; as the ODOT right-of-way is intended to serve as portion of a fully constructed future clover-leaf interchange to serve Highway 18, local access to this roadway is not possible. Access to serve future development of this site would be provided from Fircrest Drive.

NE Fircrest Drive has been constructed to a 26-foot wide, curb to curb, paved section within a 30-foot wide public right-of-way. Currently, there is no sidewalk installed along the property's Fircrest Drive frontage. At the time of development, 11-feet of additional right-of-way, to accommodate a planter strip and sidewalk, will need to be dedicated along the site's Fircrest Drive frontage. Additionally, a 10-foot wide public utility easement shall be granted along the Fircrest Drive frontage to enable adequate service to this site.

As noted in comments by the City's Engineering Department, a Traffic Impact Analysis (TIA) of projected vehicular impacts to the surrounding street network resulting from development of a multiple-family project on the subject site has been provided as part of the applicant's submittal with a conclusion that the surrounding network has the capacity to sufficiently accommodate the anticipated traffic; the TIA model assumed the site's maximum development capacity of 95 multiple-family residences (Attachment 2).

Based on the analysis provided in the submitted TIA, the projected maximum residential yield on the 5.2-acre site of this zone change request is 95 multiple-family residential units. The corresponding trip generation from this site then is limited to a maximum total of 48 morning peak hour trips and a maximum total of 59 evening peak hour trips as referenced in the Executive Summary, (page 1) of the TIA. A condition speaking to this maximum trip generation will be recommended as a condition of approval in the associated Decision Document.

Site Hydrology: Due to the presence of the on-site drainage ravine and the approximately one-tenth acre of floodplain located at the parcel's far northwest end, the developer will be required, at the time of development, to acquire any necessary erosion control permits from the Oregon Department of Environmental Quality (DEQ), and any necessary wetlands / waterway permits from the Division of State Lands (DSL) and the US Army Corps of Engineers (COE) to address.

R-4 Multiple-Family Residential Zone:

The applicant's materials submitted to support this zone change application speak to a future intent to development multiple-family residential on this property. While the applicant has not provided a conceptual development plan with this zone change proposal, and is not required to do so at this time, it is instructive to note some of the standards of the R-4 zone that would be applicable to development of this site in the future should this current request be approved. This information is offered only as an additional observation relative to the requested zoning redesignation. If approved, some of those applicable opportunities and development standards incumbent upon future development include:

R-4 Multiple-Family Residential Zone:

17.21.010 Permitted Uses. In an R-4 zone, the following uses [..] are permitted:

- A. Single-family dwelling
- B. Two-family dwelling
- C. Multiple-family dwelling

17.21.030 Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.

17.21.040 Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet;
- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
- C. A rear yard shall not be less than twenty feet;
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

17.21.060 Density requirements. In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. [..]

While the above information is presented relative to the requested R-4 zoning designation, it is important to recall that the applicant’s traffic impact analysis of a development upon the surrounding street network is limited to the resultant volume of both a.m. and p.m. peak hour trips. Although the density calculation noted above would potentially yield a larger number of developable multiple-family residential units on this site, the applicant’s submitted materials and TIA do not justify or warrant it.

Fiscal Impact:

None

Planning Commission Options:

- 1) Close the public hearing and recommend that the City Council **APPROVE** the application, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

The Planning Department recommends that the Commission make the following motion recommending approval of ZC 11-17 to the City Council:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 11-17 SUBJECT TO THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

RP:sjs